

From: Argo, Rich W.
To: Microsoft ATR
Date: 1/28/02 2:10pm
Subject: Microsoft Settlement

I believe that the proposed settlement is a bad idea.

First and foremost, the proposed settlement primarily deals with Microsoft's dealings with OEMs. While this is a start, it does not go nearly far enough.

It also does not appear to enable OEMs to ship a PC with no operating system on

it at all. Many users wish to install Linux, FreeBSD or many other free and open source operating systems and should not be forced to pay for an operating system that they do not want to use.

Furthermore, additional provisions need to be implemented in the settlement that

will force Microsoft to make versions of Microsoft Office available for the 3

most popular desktop operating systems. Currently that would be Linux, Macintosh

and Windows. Currently Microsoft only produces versions for Windows and Macintosh. Macs aren't used in the business world very much and are more expensive relative to Intel-based PCs -- which is what Microsoft Windows runs

on. If there was a version of Office available for Linux, there would then be a

choice for consumers that use Intel processors. This would open up competition

for operating systems on the Intel processing platform as many businesses are

reluctant to switch to another OS since they may not be able to run Office applications. In order to help enforce the spirit of this proposal, provisions

would have to be implemented to force Microsoft to release versions of Office

concurrently on all platforms.

Additionally, all Windows API's should be open so that competitors that wish to

produce software for Windows would be allowed to compete fairly with Microsofts

products. All Microsoft Office file formats should be standardized with an open

API so that anyone wishing to compete with an Office-like package could do

so
fairly.

Microsoft should not under any circumstances be allowed to ship any additional Microsoft software product free of charge along with their Windows operating system. The only exceptions to this rule should be utilities such as Notepad, WordPad and the various command line utilities that currently ship with Windows. Internet Explorer should not ship as a free part of Microsoft Windows. Neither should Microsoft Money. No Microsoft software that competes with another software product should be included with the operating system. If other competing products are offered for download for free from competitor's sites, then Microsoft should be allowed to offer free downloads for those kinds of products, but should not be allowed to ship those with the operating system. If they are allowed to do so, they are unfairly extending their monopoly power.

If Microsoft so wishes to ship a software product in with their operating system, they should have to submit that request to a third party committee that would vote on whether or not to allow said inclusion, but only after a 90 day period whereby anyone wishing to protest said inclusion is given the opportunity to do so before the committee in person, via email or paper mail.

If Microsoft is found to have violated any part of the settlement they should be fined a minimum of \$1 billion. On the surface, this may sound like an exorbitant amount. However, nothing short of this will likely prevent Microsoft from violating the settlement and adequately punish them if they do.

Thank you,

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